

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES RAY DAVIDSON,
Plaintiff,

v.

CLARK COUNTY, et al.,
Defendants.

CASE NO. 3:18-cv-05900-RBL-DWC
REPORT AND RECOMMENDATION
Noting Date: March 1, 2019

The District Court has referred this action filed under 42 U.S.C. § 1983 to United States Magistrate Judge David W. Christel. James Ray Davidson, proceeding *pro se*, initiated this civil rights action on November 5, 2018. *See* Dkt. 1. On December 7, 2018, the Court screened Plaintiff's Complaint, found it was deficient, and declined to rule on Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* ("Motion for IFP"). Dkt. 3. The Court ordered Plaintiff to correct the deficiencies by January 11, 2019. *Id.* The Court warned Plaintiff failure to file an amended complaint or adequately address the issues identified in the Order would result in the Court recommending dismissal of this action pursuant to 28 U.S.C. § 1915. *Id.* On December 11, 2018, the Clerk received an email indicating Plaintiff had been transferred to a new facility. Dkt. 4. The

1 Clerk updated Plaintiff's address in CM/ECF and "regenerated notice for [the Court's Order,
2 Dkt. 3]," confirming the Clerk sent the Court's Order to Plaintiff at his new facility. Dkt. 4. To
3 date, the Court has received no response from Plaintiff. *See* Dkt.

4 As Plaintiff's deadline to respond to the Court's Order passed nearly a month ago and
5 Plaintiff has failed not responded the Court's Order or prosecuted his case, the Court
6 recommends Plaintiff's Motion for IFP (Dkt. 1) be denied and this case be dismissed without
7 prejudice.

8 Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties shall have
9 fourteen (14) days from service of this Report to file written objections. *See also* Fed. R. Civ. P.
10 6. Failure to file objections will result in a waiver of those objections for purposes of *de novo*
11 review by the district judge. *See* 28 U.S.C. § 636(b)(1)(C). Accommodating the time limit
12 imposed by Fed. R. Civ. P. 72(b), the clerk is directed to set the matter for consideration on
13 March 1, 2019, as noted in the caption.

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15 Dated this 8th day of February, 2019.

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18 David W. Christel
19 United States Magistrate Judge
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